



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

BY CERTIFIED MAIL
RETURN RECEIPT REQUESTED

NOV - 6 2007

Brian Wolff, Executive Director
Democratic Congressional Campaign Committee
430 S. Capital Street, SE
Washington, D.C. 20003

Re: MUR 5571

Dear Mr. Wolff:

This is in reference to the complaint the Democratic Congressional Campaign Committee filed with the Federal Election Commission on October 18, 2004, concerning certain loans that Dalton Tanonaka made to Tanonaka for Congress during the 2004 election cycle. Based on that complaint, on March 7, 2006, the Commission found that there was reason to believe that Tanonaka for Congress and Dalton Tanonaka, in his official capacity as treasurer, ("the Committee") knowingly and willfully violated 2 U.S.C. §§ 434(b), 441a(f) and 441b(a), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Commission also found reason to believe that Dalton Tanonaka, in his individual capacity, knowingly and willfully violated 2 U.S.C. §§ 441a(f) and 441b(a). On that same date, the Commission found reason to believe that Kyle Dong and Incentive Design Builders, Inc. ("IDB") violated 2 U.S.C. § 441b(a) and that Bruce Okihara violated 2 U.S.C. § 441a(a)(1)(A).

However, after considering the circumstances of this matter, the Commission, on September 26, 2007, voted to dismiss the allegation that Mr. Tanonaka or the Committee violated the Act with respect to one of the loans at issue. The Commission also determined to take no further action against Mr. Tanonaka and the Committee with respect to two other loans, and closed the file in this matter. At the same time, the Commission admonished Mr. Tanonaka and the Committee that one of those loans constituted an excessive contribution in the amount of \$11,000 from Burt Okihara, in violation 2 U.S.C. § 441a(f); and that the Committee's failure to disclose that Mr. Okihara was the source of the \$11,000 loan violated 2 U.S.C. § 434(b). The Commission also determined to take no further action against Kyle Dong, IDB or Bruce Okihara.

The file in this matter is now closed. Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). A copy of the dispositive General Counsel's Report is enclosed for your information.

28044184575

The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action. *See* 2 U.S.C. § 437g(a)(8).

If you have any questions, please contact me at (202) 694-1650.

Sincerely,

Thomasenia P. Duncan
General Counsel



BY: Kathleen Guith
Assistant General Counsel
for Enforcement

Enclosure
General Counsel's Report

28044184576